

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JONATHAN ROBERTSON, et al.,
Plaintiffs,
v.
STATE OF CALIFORNIA, et al,
Defendants.

Case No. 1:23-cv-00975-ADA-SAB

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS TO DENY
PLAINTIFF'S APPLICATION TO PROCEED
IN FORMA PAUPERIS AND REQUIRE
PLAINTIFF TO PAY THE FILING FEE

(ECF Nos. 3, 6, 8)

Plaintiff Jonathan Robertson ("Plaintiff"), a state prisoner proceeding with counsel, initiated this civil rights action on June 29, 2023. (ECF No. 1.) Plaintiff did not pay the filing fee and instead filed an application to proceed *in forma pauperis* ("IFP") pursuant to 28 U.S.C. § 1915. (ECF Nos. 3, 6.) On July 7, 2023, the Magistrate Judge issued findings and recommendations recommending plaintiff's application to proceed IFP be denied, and that Plaintiff be required to pay the filing fee or face dismissal of the action. (ECF No. 8.) The Magistrate Judge provided Plaintiff fourteen days to file objections to the findings and recommendations.

The time to file objections has expired and Plaintiff has not filed any objections to the

findings and recommendations.

In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C) and *Britt v. Simi Valley United School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983), this Court conducted a *de novo* review of the case. Having carefully reviewed the matter, the Court finds the findings and recommendations are supported by the record and proper analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations dated July 6, 2023 (ECF No. 8), are ADOPTED IN FULL;
2. Plaintiff's application to proceed *in forma pauperis* (ECF No. 3) is DENIED;
3. Plaintiff is ordered to submit the appropriate filing fee in full no later than thirty (30) days from the date of service of this order; and
4. Plaintiff is warned that failure to comply with this order will result in dismissal of this action.

IT IS SO ORDERED.

Dated: September 4, 2023


UNITED STATES DISTRICT JUDGE